IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Misc. No. 70024-M of 2006

DATE OF DECISION : 10.11.2006

Daljit Singh

.... PETITIONER

Versus

State of Punjab and others

..... RESPONDENTS

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. Dhriti J. Sharma, Advocate,
for the petitioner.

* * *

Petitioner Daljit Singh has filed this petition under Section 482 of the Code of Criminal Procedure for arresting the accused in case FIR No. 69 dated 16.9.2006 under Sections 323, 452, 379, 148, 149 IPC, registered at Police Station Kotwali, District Ludhiana.

I have heard counsel for the petitioner and gone through the contents of the petition as well as the FIR.

In this case, the FIR has been lodged just on 16.9.2006. The police is investigating the matter. Keeping in view the nature of the offence, which is not so serious, I am of the opinion that it is for the police to decide whether the accused is to be arrested or not and in view of the decision of the Supreme Court in ***M.C. Abraham and another*** v. ***State of Maharashtra,*** (2003) 2 SCC, 649, no direction can be issued to the police to arrest the accused, as any such direction at this stage will amount to unnecessary interference in the investigation.

Dismissed.

November 10, 2006 **(SATISH KUMAR MITTAL)**
ndj **JUDGE**